

WARWICK TOWNSHIP

315 Clay Road
P.O. Box 308
Lititz, PA 17543-0308
(Lancaster County)

WARWICK TOWNSHIP PLANNING COMMISSION

Meeting Minutes
October 26, 2022

Chairman Thomas Zug convened the October 26, 2022 meeting of the Warwick Township Planning Commission to order at 7:00 p.m. In attendance were Commissioners Tom Zug, Jane Windlebleck, Dan Garrett, John Gazsi, and Dale Keeney. Craig Kimmel, Marcello Medini and Robert Kornman were absent. Also in attendance were Billy Clauser, Township Planner; Chuck Haley, Township Engineer; Chris Poje, 513 Deer Run Road, Lititz; Jason Shaner, Impact Engineering; Kevin Varner, Diehm & Sons; Christ Beiler, 654 W. Orange Street, Lititz; Roger Gerhart, 910 Brunnerville Road, Lititz.

APPROVAL OF MINUTES: The September 28, 2022 minutes were approved as submitted.

**CONSIDERATION ON THE 654 WEST ORANGE STREET CONDITIONAL USE PLAN,
PREPARED BY IMPACE ENGINEERING GROUP, DATED SEPTEMBER 22, 2022:**

Jason Shaner with Impact Engineering Group is present with Mr. & Mrs. Beiler. Christ and Katie Beiler own the farm and it is occupied by their daughter Amanda and her husband Michael. The farm is located at 654 West Orange Street, Lititz and is 27 acres. There is a farmhouse and some agricultural buildings on the farm. The 27 acres is bisected by the Warwick Township boundary so the western most 11 acres is in Penn Township and the eastern 16 acres is in Warwick Township. The Beilers are proposing constructing an additional dwelling on the farm. Either subdividing or adding a single family detached dwelling is allowed by conditional use and that is what the Beilers have applied for. The applicants are proposing to build the house in the northeastern most corner of the farm, relatively close to the road and the driveway is proposed to access Limerock Road. The applicants feel this is the least interruption of the farm and crop land. The dwelling will be served by a septic system and well and all improvements are going to be in close proximity to that dwelling. Even though they are not subdividing, there is a theoretical 2-acre lot that is shown on the plan and that is meant as a demonstration that if ever subdivided it can be done a way that is consistent with the zoning ordinance. Mr. Shaner referred to a letter from the Township Engineer dated October 19, 2022 that contains a reminder list of things that need to be provided at certain points of the overall process. Mr. Shaner stated that the hard copy plans he brought tonight did have the required and visible sight distances for the new driveway and the existing driveway as well and they are well complaint with what is required from PennDOT. There is a sewage planning module that is going to be submitted in the very near future to the Township. T. Zug asked if there were any other issues with the conditions about the well. Mr. Beiler denied any issues. D. Garrett mentioned that they are approaching the impervious surface allotment. J. Shaner stated that the maximum lot coverage allowed is 20% and with the proposed plan they will be at 16%. D. Garrett was referring to the plan noting a 0.92-acre limit of disturbance, because any disturbance of 1 acre or greater requires a PADEP NPDES permit. The applicant is aware that they are close, but they think it is realistic and they are confident that the



construction can stay within those limits. C. Haley mentioned that when the applicant submits the storm water management plan for the proposal, those measurements will all be reviewed because the applicant has to do a grading plan. J. Shaner is asking for a positive recommendation to the Board of Supervisors. On a motion by D. Garrett and seconded by J. Gazsi, the Board approved the 654 W. Orange Street Conditional Use plan with conditions.

CONSIDERATION ON THE CHRISTOPHER POJE FINAL SUBDIVISION PLAN, PREPARED BY DIEHM & SONS, DATED SEPTEMBER 23, 2022: Kevin Varner from Diehm & Sons is present representing Chris Poje who is also present. Varner stated that the farm is at 910 Brunnerville Road. The applicant is proposing to subdivide a lot. Roger Gerhart is the owner of the farm and Mr. Poje is looking to purchase the lot from him. The farm is zoned Agricultural, Industrial, and Rural Estate. The area they are proposing is zoned Rural Estate. The farm itself is part of an application for agricultural preservation which will require rezoning. That is all in the works and Mr. Gerhart is working through that process. The applicant wanted to get a plan in place before the agricultural preservation line is struck. They are proposing a single-family residence on the site. C. Haley pointed out that this is the piece right above the Orchard Road subdivision by Randy Hess where the emergency access drive is planned to be installed. Varner stated that the 50-foot emergency access is shown on their plan to be dedicated to the Township as part of the Orchard Road subdivision. Haley stated that they can marry the two plans so that Mr. Poje knows what is coming from the Orchard Road Subdivision and Randy Hess knows what the house and driveway look like so that both parties are on the same page. K. Varner stated that the proposed property would be 1.67 acres with a right-of-way coming up from the Orchard Road subdivision. Varner stated that they based their setbacks off of the proposed right-of-way so that the house does not get built at the wrong location. Varner mentioned that with the ag preserve and the rezoning, once that is rezoned ag there is a 100 ft. agricultural setback and while it would not necessarily apply if the house was built prior to the preserve and rezoning and not knowing what was going to happen, they have shown that they need the 100 ft. setback distance to the dwelling from that property line which will become agricultural. They are proposing public sewer to hook into the Wood View Drive system and an on lot well. For storm water, they are proposing an infiltration trench in the back collecting the run-off from the improvement area at the house. They do have an NPDES permit application submitted. C. Haley asked if the applicant is required, because they are adjacent to the Orchard Road subdivision, to tie into the public water down there. Varner stated that at this point they are not. Haley did not know if the municipal authority had a requirement if you are within so many feet that you have to tie in. B. Clauser stated that this property will remain zoned Rural Estate and that the Township and Mr. Poje met with the Warwick Township Municipal Authority as part of their pre-application meeting and they will not be required to hook up to public water. Typically it would be on lot septic and well for Rural Estate zoning, but sometimes they make some exceptions and they were okay with hooking up to public sewer and utilizing an on lot well. J. Windlebleck asked for clarification on the location of the driveway. D. Garrett asked if there will be a gate or anything at the top of the emergency access drive. Varner stated that there will be some type of gate or bollards for the emergency drive which comes off of the end of the bulb also so that will have to be located after Mr. Poje's driveway. Varner stated that where those bollards go is one of the things they will have to coordinate with RGS on. B. Clauser stated that bollards are proposed at each end, not a gate. Varner did state that the with wider driveway and the turn off there, some of the macadam will be the driveway and some will be access drive. As far as waivers, the first one is the existing features within and contiguous to the subject tract. This is because it is a 93-acre farm. They are showing the area around the dwelling, Hubers Run in reference to the farm, and FEMA's floodplain. The next waiver is street improvements, sidewalks, and curbs along existing streets. The waiver is partially because this is a unique situation. The applicant has frontage and a right-of-way, but it is an emergency drive. They have it on the terminance of the cul-de-sac, but they don't have frontage that you normally put curb and sidewalk on. The frontage that they do have is going to be from the driveway entrance and the emergency access and there are not curbs and sidewalks in the existing development at this time. In the past,

depending on the circumstances, the Township has approved some of these waiver requests with a deferral or fee-in-lieu of or a combination of the two. C. Haley stated that the only thing ELA said about the curbs and sidewalk is to provide a deferral agreement in case down the road they want to do something in the cul-de-sac. Haley also stated that the applicant should probably show a reserve right-of-way on Snyder Hill Road and Brunnerville Road because they are talking about subdividing from the parent tract and then if the parent tract goes into preservation you need to identify any rights-of-way to keep the amount of preservation along roadways that are on that parent tract. The deferral agreement lends you to if something does happen that you need participation from Mr. Poje, then you have an agreement in place. K. Varner stated that he and B. Clauser were talking with the Ag Preserve Board to try and figure out how far along the process is and what that means to have right-of-way and also the riparian easement. They are making sure they don't have an easement over an easement. D. Garrett asked if Haley suggests the Board hold off on approving that waiver. Haley suggested approval conditional upon those comments, because the Supervisors will ensure that they are addressed or conditions of approval prior to the recording of the plan.

On a motion by D. Garrett and seconded by J. Windlebleck, the Board approved the waivers with conditions.

C. Haley suggested that the applicant get the retaining wall designed up front before they do the plan recording. K. Varner mentioned taking it far enough that they know there is not conflict with a pipe or other influence. Haley mentioned a project with a 17-foot wall, tie backs that went right up next to an infiltration system and a swimming pool and once you did that then things started to change so Haley wanted to make sure that whatever they have fits on the lot. This is going to be set in stone because in their case it was a storm water plan and in your case it is a subdivision plan that is going to be memorialized. K. Varner stated that they have a retaining wall that runs around the building area. The lot is not extremely steep but if you are looking for a flat spot for patios and so forth it starts getting steep, so the retaining walls allow that to happen. Haley stated that conditional approval is not an issue. He thinks before the final approval to record it that should be part of it. There was a discussion of the proposed retaining wall. Mr. Poje stated that he is going to use the Versa-Lok system for the retaining wall.

On a motion by D. Garrett and seconded by J. Gazsi, the Board recommended conditional approval of the subdivision plan.

NEXT MEETING: November 22, 2022 at 7:00 p.m.

ADJOURNMENT: On a motion by D. Keeney and seconded by J. Windlebleck, the meeting was adjourned at 7:29 p.m.

Respectfully Submitted,



Billy Clauser
Township Planner